IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 16335 of 1997

Between:

V.Narayana S/o.V.Ramanna, Aged: 61 years, Occ:Managing Partner, M/s. Sri Rama Engineering Constructions, 203, NILGIRI, Aditya Enclave, Ameerpet, Hyderabad.

..... PETITIONER

AND

1. The Executive Engineer, SRBC Divn.No.324, Koilkuntla, Kurnool District.
2. The Asst.Pay & Accounts Officer, Srisailam Right Branch Canal, Nandyal.
3. The Superintendent Engineer, Srisailam Right Branch Canal, Circle No.3, Nandyal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of mandamus directing the respondent No.1 to deduct tax at source at the rate of 1% only on the material component involved in Agreement No.1/ICB/91-92 dated 8-5-91 entered into between the petitioner and the Superintendent Engineer, Srisailam Right Branch Canal, Circle No.3, Nandyal and not to deduct tax at source on items relating to excavation of earth involved in Agreement No.1/ICB/91-92 dated 8-5-91 after declaring the proceedings of the Executive Engineer in his Lr.No.EE/SRBC Divn./3-4/KKL/299(H)/97 dated 4-7-97 as illegal and void.

Counsel for the Petitioner : MR.M.R.K.CHOWDARY (Not present).

Counsel for the Respondent No.: GP FOR COMMERCIAL TAXES

The Court made the following :

ORDER : (per Sri Bilal Nazki, J)

Nobody appeared for the Writ Petitioner when the matter was called. Hence, the Writ Petition is dismissed for non-appearance and non-prosecution. No costs.

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(BILAL NAZKI, J)

23rd September, 2004.

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(S.ANANDA REDDY, J)

ajr

To

1. The Executive Engineer, SRBC Divn.No.324, Koilkuntla, Kurnool District.
2. The Asst.Pay & Accounts Officer, Srisailam Right Branch Canal, Nandyal.
3. The Superintendent Engineer, Srisailam Right Branch Canal, Circle No.3, Nandyal.

4 Two C.Cs. to the G.P. for Commercial Taxes, High Court Buildings, Hyderabad (O.U.T).

5 Two C.D. copies.